

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sheri Bluebond, Presiding
Courtroom 1539 Calendar**

Wednesday, September 8, 2021

Hearing Room 1539

10:00 AM
2:00-00000

Chapter 0

#0.00 All hearings scheduled for today will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required **but you must still notify Chambers at [Chambers SBluebond@cacb.uscourts.gov](mailto:SBluebond@cacb.uscourts.gov) of your appearance**". The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

For more information on appearing before Judge Bluebond by ZoomGov, please see the information on the Court's website at:

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Hearing conducted by ZOOMGov.

Video/audio web address: <https://cacb.zoomgov.com/j/16161090855>

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Password: 148508

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Docket 0

Courtroom Deputy:

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Chapter 0

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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2:21-15007 Pacific Theatres Exhibition Corp.

Chapter 7

#1.00 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Superior Court Complaint 20ST re: Lopez v. Pacific Theaters Exhibition Corp. Docket No. 20STCV 14195, Los Angeles Superior Court, Ca

MOVANT: VERONICA LOPEZ

Docket 42

Courtroom Deputy:

ZoomGov Appearance by:

9/7/21 - Keith Higgenbotham, (213)840-7800

Tentative Ruling:

Grant without waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Pacific Theatres Exhibition Corp.

Represented By
Erin N Brady

Movant(s):

Veronica Lopez

Represented By
David Brian Lally

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Jeffrey S Kwong
Philip A Gasteier

**United States Bankruptcy Court
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2:21-15007 Pacific Theatres Exhibition Corp.

Chapter 7

#2.00 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Lawsuit: Novel Harris v. Pacific Theatres Exhibition Corp, et al. Case Number: 19STLC06773, Superior Court of Ca. Los Angeles.

MOVANT: NOVEL HARRIS

Docket 49

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant without waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Pacific Theatres Exhibition Corp.

Represented By
Erin N Brady

Movant(s):

Novel Harris

Represented By
Kenechi R Agu

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Jeffrey S Kwong
Philip A Gasteier

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 8, 2021

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10:00 AM

2:21-10943 Mr. Holmes, Inc.

Chapter 7

#3.00 Trustee's Omnibus Motion to:

- 1) Approve Compromise with JPMorgan Chase Bank
 - 2) Approve Compromise with AP Highland Park LP and Authorize Lease Rejection of Los Angeles Premises
 - 3) Approve Compromise with Gaetani Real Estate, Inc. for Steve Tappe et al. and Authorize Lease Rejection of San Francisco Premises
 - 4) Authorize Sale Free and Clear of Liens of Estate's Right, Title and Interest in Intangible Assets including Assignment of Executory Contracts
 - 5) Authorize Sale Free and Clear of Liens of Estate's Right, Title and Interest in Personal Property located at Los Angeles Premises
 - 6) Authorize Sale Free and Clear of Liens of Estate's Right, Title and Interest in Personal Property located at San Francisco Premises
 - 7) Authorize Abandonment of Property Remaining in Leased Premises
- fr. 6/30/21, 8-11-21

Docket 37

Courtroom Deputy:

ZoomGov Appearance by:

9/7/21 - Alphonse Kebeh, (310)779-5338

9/7/21 - Zev Schechtman, (310)277-0077

9/7/21 - Mark Romero, (415)395-9315

Tentative Ruling:

Tentative Ruling for June 30, 2021:

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CONT... Mr. Holmes, Inc.

Chapter 7

Are all agreements conditioned on approval of each and every agreement?
Are any of the agreements conditioned on approval of any other agreement?
Court appreciates the desire of the trustee to economize, but, except to the extent that the effectiveness of a given agreement is conditioned on approval of another agreement (and perhaps not even then), the court would prefer that separate compromises be the subject of separate motions. The trustee has combined too much into a single motion here, as a result, the motion is slight on detail and confusing.

What are the tangible assets being sold? Is there an inventory of them anywhere or is there just the general description contained in the body of the motion and the agreement? What steps has the trustee taken in an effort to market the tangible assets?

What are the debtor's franchise rights? Is the debtor the franchisor or a franchisee? Are these agreements even assignable? Copies of these agreements are not attached. Are there any arrearages under the agreements to be assumed and assigned? Exhibit A to Exhibit 5 identifies the contracts to be assigned as franchise agreements and multi-use development agreements in Singapore, Kuwait, Saudi Arabia, Bahrain, Qatar and the UAE. Were the counterparties to these agreements even served with this motion? Is there any description of what these rights actually are anywhere in the motion?

Why is Exhibit 5 not even completed or signed? Has Vijay Pillai signed this agreement? (Debtor has now filed a signed copy of this agreement.)

What is the trustee's response to Chase's notice of conditional nonopposition?

Hearing required.

Final Ruling for June 30, 2021:

Motion granted in part and continued in part.

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Chapter 7

Compromise with Chase was approved, subject to modifications discussed on the record concerning a carveout for Financial Pacific.

Court granted balance of relief requested by motion, with the exception of the abandonment/sale of the San Francisco equipment. Hearing on that portion of the relief requested by the motion continued to August 11, 2021 at 11:00. Any supplemental papers must be filed by August 2, 2021.

With regard to sale of intangibles, after negotiations at hearing, court approved sale by trustee to two different purchasers for a total of \$150,000 -- one for rights in the Middle East, Europe and the UK and including Instagram and website; the other for Asia and the United States and balance of intellectual property. (Rights in other parts of the world to be held jointly unless parties agree to different division.) Court set holding date of July 13, 2021 at 10:00 for a continued hearing on the form of the order concerning the sale of intangibles.) Trustee should lodge an order on balance of relief and note in that order that the trustee's sale of intangibles will be addressed in a separate order.

7/6/21 -- Court approved order memorializing June 30, 2021 rulings.

Final Ruling from July 13, 2021:

Hearing on form of order can be taken off calendar. Parties have agreed upon and are circulating approved form of order.

7/15/21 -- Court approved order on sale of intangibles.

Tentative Ruling for August 11, 2021:

What, if anything, has transpired since June 30, 2021 with regard to the San Francisco equipment? Hearing required.

Final Ruling for August 11, 2021:

Trustee is still trying to sell San Francisco equipment. At trustee's request, continue hearing to September 8, 2021 at 10:00 a.m.

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Tentative Ruling for September 8, 2021:

What, if anything, has transpired since June 30, 2021 with regard to the San Francisco equipment? Hearing required.

Party Information

Debtor(s):

Mr. Holmes, Inc.

Represented By
David B Zolkin

Movant(s):

Rosendo Gonzalez (TR)

Represented By
Zev Shechtman

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Zev Shechtman

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2:20-12042 Mark Abbey Slotkin

Chapter 7

Adv#: 2:20-01672 Miller v. SLOTKIN DEFECTIVE TRUST OF DECEMBER 14, 2012 et al

#4.00 Defendant's Motion to Modify Order to Release Funds from the Sale of the Morrison Property

fr. 4-27-21, 6-29-21, 8-26-21

Docket 48

Courtroom Deputy:

ZoomGov Appearance by:

9/2/21 - Jeff Goldman, (949)567-3547

9/7/21 - Jon Freis, (310)276-1218

9/8/21 - Robyn Sokol, (626)796-4000

Tentative Ruling:

Tentative Ruling from April 27, 2021:

Deny motion. Debtor has failed to provide trustee with comprehensible cash flow statements or to adequately explain how funds previously released to Olympic (\$445,304.22) have been spent. Debtor claims that funds are needed for past due interest payments to Fan, yet it appears that payments are being made to Fan and others as partnership distributions. And why aren't the rent payments received by Olympic and Clover sufficient to make the required mortgage payments? And why is it appropriate for funds generated by a sale of assets of Olympic to be used to pay expenses attributable to other LLC's? Clearly, the debtor is in the practice of treating the various entities as if they are alter egos of one another, expending resources of one entity for the benefit of another as he sees fit. Debtor has not demonstrated that Olympic needs the requested funds to pay its own ordinary course operating expenses.

Debtor also requests that the funds be released to Olympic to cover future

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Chapter 7

and unexpected obligations of the Olympic or the other entities. How does this make sense? The purpose of the preliminary injunction was to prevent the debtor from dissipating these assets while the trustee litigates whether the assets of these entities should be treated as assets of the debtor's bankruptcy estate. This purpose would be defeated entirely if the debtor were permitted to continue liquidating assets and disbursing the proceeds in any manner he sees fit without appropriate oversight to confirm that the expenses in question are legitimate ordinary course operating expenses for the entity whose funds the debtor seeks to expend.

Debtor is correct that no receiver has been appointed for the various entities, but, in light of the way the debtor has been managing these entities, perhaps such an appointment would be appropriate. Has the trustee explored whether there are sufficient grounds to support the appointment of a receiver for these entities?

Final Ruling for April 27, 2021:

Continue hearing to June 29, 2021 at 2:00 p.m. Any supplemental declarations and a status report should be filed not later than June 22, 2021.

Tentative Ruling for June 29, 2021:

Debtor's June 14, 2021 declaration states, at paragraph 9, that certain expenses need to be paid to bring the Jerry Fan Notes current, as well as other legitimate business expenses of various entities and that a "true and correct copy of these expenses is attached as Exhibit "11" and incorporated by reference." Court assumes that debtor means Exhibit 10, as that is a list of bills. However, the exhibit is not particularly helpful. It does not provide any information whatsoever as to whose expenses these bills are and, as the debtor himself points out, on May 13, 2020, the Superior Court specifically found that "it is correct that Respondent [debtor] has consistently used the assets of Antiquarian Traders and Olympic Holdings as if they were his personal property and bank accounts rather than assets of a trust to which he is not a beneficiary."

Any finding by the state court as to whether the debtor is or is not an alter ego

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of a particular entity for the purpose of litigation with the debtor's ex-spouse may not be binding on the trustee, who represents the interests of creditors who were not parties to that action. And the question of whether or not the assets of these other entities are assets of the debtor's bankruptcy estate may not be the same issue as whether these entities are the debtor's alter egos under state law.

Further, where is the evidence as to what is actually due Jerry Fan for what purpose? Has the trustee been able to verify with Fan what amounts are due with regard to secured loans against the property? And has the debtor accounted for the rents being generated by the properties owned by these other entities, which the trustee contends are sufficient to pay the obligations of these entities? It is not helpful to prepare an exhibit that shows only expenses and not receipts and other disbursements by these entities.

6/28/21 -- Court approved order appointing Judge Zive as mediator.

Final Ruling for June 29, 2021:

Continue hearing to August 26, 2021 at 10:00 a.m. Debtor should file any supplemental papers by August 12, 2021. Trustee should file any supplemental opposition by August 19, 2021. (Trustee later granted, in part, trustee's motion to continue hearing and continued hearing to September 8, 2021 at 10:00 a.m.)

Tentative Ruling for September 8, 2021:

Papers over 25 pages still need to be served on Judge Bluebond. Papers filed less than 14 days prior to hearing need to be sent by overnight or personal delivery to the judge. Movant filed a 196 page reply 8 days before the hearing and did not serve the judge until chambers requested a copy. Judge's service copy still had not arrived as of 2:30 p.m. on Thursday, September 2, 2021. In light of Labor Day and Rosh Hashana, court will not have had any meaningful opportunity to review anything contained in these papers -- and these are the papers that are supposed to prove that movant has indeed supplied the backup that the trustee has been requesting.

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(Court received copy of debtor's August 31 filing on the morning of September 3, 2021. Attachments consist of a copy of an email exchange between counsel (Exhibit "A") and a disorganized stack of utility bills, bills from an individual court assumes to be a gardener, accountant's bills, bills for pool service/maintenance, statements that purport to be from Jerry Fan (some of which are marked "paid"), insurance bills, four pages marked "payroll liability" that do not show any paychecks issued or any information as to the identity of any employees, the number of hours worked or the amounts due, a couple of bills from Jose's plumbing service, a bill for \$800 from July for janitorial services for 13448 Chandler from an outside janitorial/maintenance service, a bill addressed to Cruises to Nowhere for dockage and utilities, a bill from VSP Vision Care addressed to Antiquarian Traders, a bill for HOA assessments from Ross Morgan & Company for 24050 Park Casino, and an accounts payable aging for each entity, with a summary and a consolidated version with expenses projected through December 31, 2021 (Exhibit "B").)

As of the filing of the trustee's opposition, trustee had just received a shipment of documents that movant represented satisfied the trustee's outstanding requests. Has trustee had an opportunity to determine the extent to which the requested documents have been provided?

Debtor contends that estate will have sufficient losses to offset gains from sale of Morrison property and will not therefore have significant tax liability arising out of the sale. Has the trustee had an opportunity to assess whether or not this is likely to be the case?

The debtor's explanations are largely conclusory assertions without any details. For example, the debtor contends that Antiquarian Traders has payroll of \$10,000 per week. How many employees are on the payroll and what are their names? How many hours per week do they work? How much does each employee earn? (Four pages entitled "Payroll liability" do not reflect any of this information.) Debtor says that employees do repairs and maintenance and move furniture and supplies to the houses. Are the houses rented? What actually needs to be done on a daily or weekly basis? Does debtor keep someone on the payroll to do repairs and maintenance instead of paying an outside service on an as needed basis to perform these services?

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Chapter 7

Debtor claims that there have been vacancies. Has debtor ever provided a rent roll and/or an actual accounting of how much was paid by whom when and for what time period for each property?

Debtor represents that the Appian Way property is occasionally used for small movie shoots and commercials. When was the last time that happened? How many times has that happened in the last year? Two years? Five years? Debtor claims that the property is used as a showroom. How often do any customers visit the showroom? When was the last time a customer visited the showroom? When was the last time Appian Way sold anything to anyone? (Debtor's explanations do not describe Appian Way as earning any money from any such activities. Why is it necessary to maintain a "showroom"?) This property is the debtor's residence. What benefit does this property provide for the other entities?

Which entity owns a boat? Who is Cruises to Nowhere LLC? Has debtor disclosed his ownership interest in this entity on his schedules? Why is there a bill for dockage and power for a boat included in Exhibit "B"? Why should this be obligation be paid from sales proceeds of Morrison property?

Does the debtor have a breakdown by entity and by property of the monthly expenses and anticipated revenues for each? Court has never seen a budget or cash flow projection at all, let alone one divided by entity and by property.

What is the statement addressed to Robert Mayman from Select Portfolio Servicing for 748 N. Detroit St.?

Hearing required.

Party Information

Debtor(s):

Mark Abbey Slotkin

Represented By
Leslie A Cohen

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Chapter 7

Defendant(s):

MARK ABBEY SLOTKIN

Represented By
David Brian Lally
Jon H Freis

14257 CHANDLER MANOR LLC

Represented By
David Brian Lally
Jon H Freis

17841 PALORA MANOR LLC

Represented By
David Brian Lally
Jon H Freis

Robert Mayman

Represented By
David Brian Lally

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

748 DETROIT MANOR LLC

Represented By
David Brian Lally
Jon H Freis

LOREN MARKEN AS TRUSTEE

Represented By
David Brian Lally
Jon H Freis

LOREN MARKEN AS TRUSTEE

Represented By
David Brian Lally
Jon H Freis

SAVANNAH SLOTKIN

Represented By

**United States Bankruptcy Court
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CONT... Mark Abbey Slotkin

Chapter 7

	David Brian Lally
INTENTIONALLY DEFECTIVE	Represented By David Brian Lally Jon H Freis
SLOTKIN DEFECTIVE TRUST OF	Represented By David Brian Lally Jon H Freis
SLOTKIN DEFECTIVE TRUST OF	Represented By David Brian Lally Jon H Freis
LOREN MARKEN AS TRUSTEE	Represented By David Brian Lally Jon H Freis

Movant(s):

MARK ABBEY SLOTKIN	Represented By David Brian Lally Jon H Freis
748 DETROIT MANOR LLC	Represented By David Brian Lally Jon H Freis
14257 CHANDLER MANOR LLC	Represented By David Brian Lally Jon H Freis
17841 PALORA MANOR LLC	Represented By David Brian Lally Jon H Freis
Robert Mayman	Represented By David Brian Lally
TO BE NAMED TRUSTEE OF	Represented By David Brian Lally Jon H Freis

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Chapter 7

SAVANNAH SLOTKIN

Represented By
David Brian Lally

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

INTENTIONALLY DEFECTIVE

Represented By
David Brian Lally
Jon H Freis

SLOTKIN DEFECTIVE TRUST OF

Represented By
David Brian Lally
Jon H Freis

SLOTKIN DEFECTIVE TRUST OF

Represented By
David Brian Lally
Jon H Freis

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

Plaintiff(s):

Elissa Miller

Represented By
Robyn B Sokol

Trustee(s):

Elissa Miller (TR)

Represented By
Robyn B Sokol
Jessica Wellington

**United States Bankruptcy Court
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2:20-12042 Mark Abbey Slotkin

Chapter 7

Adv#: 2:20-01672 Miller v. SLOTKIN DEFECTIVE TRUST OF DECEMBER 14, 2012 et al

#5.00 Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) Complaint by Elissa Miller against Slotkin Defective Trust of December 14, 2012, Slotkin Defective Trust of April 12, 2010, Intentionally Defective Slotkin Family Children's Trust Dated January 1, 1997, Savannah Slotkin, Loren Marken as Trustee of Slotkin Defective Trust of December 14, 2012, Loren Marken as Trustee of Slotkin Defective Trust of April 12, 2010, Loren Marken as Trustee of the Intentionally Defective Slotkin Family Children's Trust dated January 1, 1997, To Be Named Trustee of Slotkin Defective Trust of April 12, 2010, To Be Named Trustee of Slotkin Defective Trust of December 14, 2012, To Be Named Trustee of Intentionally Defective Slotkin Family Children's Trust Dated January 1, 1997, Robert Mayman, 17841 Palora Manor LLC, 14257 Chandler Manor LLC, 748 Detroit Manor LLC, Mark Abbey Slotkin

fr. 1-26-21, 4-27-21, 6-29-21, 8-26-21

Docket 1

Courtroom Deputy:

ZoomGov Appearance by:

9/2/21 - Jeff Goldman, (949)567-3547

9/8/21 - Robyn Sokol, (626)796-4000

Tentative Ruling:

Set discovery cutoff for late November 30, 2021. Continue case status conference to mid to late December.

Party Information

Debtor(s):

Mark Abbey Slotkin

Represented By
Leslie A Cohen

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CONT... Mark Abbey Slotkin

Chapter 7

Defendant(s):

MARK ABBEY SLOTKIN

Represented By
David Brian Lally
Jon H Freis

748 DETROIT MANOR LLC

Represented By
David Brian Lally
Jon H Freis

14257 CHANDLER MANOR LLC

Represented By
David Brian Lally
Jon H Freis

17841 PALORA MANOR LLC

Represented By
David Brian Lally
Jon H Freis

Robert Mayman

Represented By
David Brian Lally

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

TO BE NAMED TRUSTEE OF

Represented By
David Brian Lally
Jon H Freis

LOREN MARKEN AS TRUSTEE

Represented By
David Brian Lally
Jon H Freis

LOREN MARKEN AS TRUSTEE

Represented By
David Brian Lally
Jon H Freis

LOREN MARKEN AS TRUSTEE

Represented By

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CONT... Mark Abbey Slotkin

Chapter 7

SAVANNAH SLOTKIN

David Brian Lally
Jon H Freis

Represented By
David Brian Lally

INTENTIONALLY DEFECTIVE

Represented By
David Brian Lally
Jon H Freis

SLOTKIN DEFECTIVE TRUST OF

Represented By
David Brian Lally
Jon H Freis

SLOTKIN DEFECTIVE TRUST OF

Represented By
David Brian Lally
Jon H Freis

Plaintiff(s):

Elissa Miller

Represented By
Robyn B Sokol

Trustee(s):

Elissa Miller (TR)

Represented By
Robyn B Sokol
Jessica Wellington

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2:21-15623 Diane F. Ashbee

Chapter 7

#6.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 2669 Roscomare Rd., Los Angeles, CA 90077

MOVANT: JUAN DAVID BORRERO VALLEJO

Docket 18

Courtroom Deputy:

ZoomGov Appearance by:

9/2/21 - David Hagen, (818)990-4416

Tentative Ruling:

Grant with waiver of Rule 4001(a)(3). In light of prior filings by spouse, grant request that order be binding in any bankruptcy cases commenced by or against any debtor claiming an interest in property for a period of 180 days upon recordation of a copy of the order (paragraph 9).

Party Information

Debtor(s):

Diane F. Ashbee

Represented By
Michael E Plotkin

Movant(s):

Juan David Borrero Vallejo

Represented By
David S Hagen

Trustee(s):

Elissa Miller (TR)

Pro Se